



HERSHKOVITZ & ASSOCIATES  
2845 DUKE STREET  
ALEXANDRIA, VA 22314  
703-370-4800

3693  
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In re application of : Claudio R. Ballard Docket No.: P43312  
Application No. : 09/454,492 Group Art Unit: 3693  
Filed : December 6, 1999 Examiner: WEISBERGER,  
Richard C.  
For : REMOTE IMAGE CAPTURE WITH CENTRALIZED  
PROCESSING AND STORAGE

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is a **Supplemental Information Disclosure Statement Under 35 C.F.R. 1.555** in the above-captioned application.

The fee has been calculated as shown below:

Claims After Amendment	No. of Claims Previously Paid	Present Extra	Small Entity		Large Entity	
			Rate	Fee	Rate	Fee
*Total Claims:			x 25=	\$	x 50=	\$
**Indep. Claims:			x 100=	\$	x 200=	\$
Multiple Dependent Claims Presented			+180=	\$	+360=	\$
Extension Fees for Month				\$		\$
IDS under 1.17(p)				\$		\$ 180
Total:				\$	Total:	\$ 180

\* If less than 20, write 20

\*\*If less than 3, write 3

\_\_\_ Please charge my Deposit Account No. **50-2929** in the amount of \$ .

\_\_\_ A Check in the amount of \$ \_\_\_ to cover the necessary fee is included.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-2929**:

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3).

02/07/2007 HBERHE 00000153 502929 09454492  
01 FC:1806 180.00 DA

February 5, 2007  
Date

Abraham Hershkovitz  
Reg. No. 45,294



PA 312.A03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Claudio R. Ballard Art Unit: 3693  
Application No. : 09/454,492 Examiner: Richard C.  
WEISBERGER  
Filed : December 6, 1999 Confirmation No.: 3808  
For : REMOTE IMAGE CAPTURE WITH  
CENTRALIZED PROCESSING AND STORAGE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Pursuant to the duty of disclosure set forth in 37 CFR 1.56 and in accordance with the provisions of 37 CFR 1.97 and 1.98, the following information is brought to the attention of the Examiner for consideration during examination of the instant application.

These materials are being submitted in the instant application so that the Examiner can make his own determinations as to relevance of these documents. Copies of all available documents are enclosed, as is a completed copy of substitute form PTO-1449. In accordance with M.P.E.P. Section 609, copies of U.S. patents, which are readily available to the Examiner, are not enclosed. Accordingly, the Examiner is requested to consider these documents and indicate their consideration by initialing the attached substitute form PTO-1449.

02/07/2007 MBERHE 00000153 09454492  
01 FC:1806 180.00 DA

The undersigned submits herewith documents that have been brought to the attention of the undersigned as having been produced in a litigation concerning patents which are related to the present application (namely, U.S. Patent Nos. 5,910,988 and 6,032,137, which are the underlying patents for Reexamination proceedings 90/007,929 and 90/007,830). The present application is a divisional application of U.S. Patent No. 6,032,137. U.S. Patent No. 6,032,137 (already of record and cited in the IDS filed on March 31, 2004) is a continuation-in-part of U.S. Patent No. 5,910,988 (already of record and cited in the IDS filed on September 12, 2002).

The following documents are made of record:

(1) Search Report of EP application 98 942 251.4 – 1238, filed on October 24, 2005, which corresponds to U.S. Patent No. 5,910,988.

A. The following documents were cited in the Search Report of EP application 98 942 251.4 – 1238:

- European Patent Publication EP-A-0 593 209 (already of record and cited in the IDS filed on September 12, 2002);

(2) International Patent Publication WO 90/04837 A;

(3) U.S. Patent No. 5,602,936;

(4) International Patent Publication WO 91/06058 A; and

(5) U.S. Patent No. 5,457,747.

B. According to M.P.E.P. Section 2001.6(b), if an application under examination is identified as a continuation, divisional, or continuation-in-part of an earlier application, the examiner will consider the prior art cited in the earlier application and no separate citation of the same prior art need be made in the later application. However, in an abundance of caution, the prior art cited in the parent application of the instant application is cited herein. The following documents were cited in U.S. Patent No. 5,910,988:

- (6) U.S. Patent No. 4,201,978;
- (7) U.S. Patent No. 4,264,808;
- (8) U.S. Patent No. 4,326,258;
- (9) U.S. Patent No. 4,417,136;
- (10) U.S. Patent No. 4,457,015;
- (11) U.S. Patent No. 4,500,750;
- (12) U.S. Patent No. 4,523,330;
- (13) U.S. Patent No. 4,555,617;
- (14) U.S. Patent No. 4,578,530;
- (15) U.S. Patent No. 4,602,936;
- (16) U.S. Patent No. 4,680,803;

- (17) U.S. Patent No. 4,694,147;
- (18) U.S. Patent No. 4,747,058;
- (19) U.S. Patent No. 4,750,201;
- (20) U.S. Patent No. 4,843,220;
- (21) U.S. Patent No. 4,888,812;
- U.S. Patent No. 4,912,762 (already of record and cited in the IDS filed on January 16, 2004);
- (22) U.S. Patent No. 4,926,325;
- (23) U.S. Patent No. 4,960,981;
- (24) U.S. Patent No. 5,091,968;
- (25) U.S. Patent No. 5,122,950;
- (26) U.S. Patent No. 5,144,115;
- (27) U.S. Patent No. 5,159,548;
- (28) U.S. Patent No. 5,173,594;
- (29) U.S. Patent No. 5,175,682;
- (30) U.S. Patent No. 5,187,750;
- (31) U.S. Patent No. 5,204,811;
- (32) U.S. Patent No. 5,220,501;
- (33) U.S. Patent No. 5,237,158;
- (34) U.S. Patent No. 5,274,567;

- (35) U.S. Patent No. 5,283,829;
- (36) U.S. Patent No. 5,321,238;
- (37) U.S. Patent No. 5,321,751;
- (38) U.S. Patent No. 5,345,090;
- (39) U.S. Patent No. 5,434,928;
- (40) U.S. Patent No. 5,436,970;
- (41) U.S. Patent No. 5,444,794;
- U.S. Patent No. 5,457,747 (already cited above in the Search Report of EP application 98 942 251.4 – 1238);
- (42) U.S. Patent No. 5,479,510;
- (43) U.S. Patent No. 5,506,691;
- (44) U.S. Patent No. 5,544,043;
- (45) U.S. Patent No. 5,559,038;
- (46) U.S. Patent No. 5,602,933;
- (47) U.S. Patent No. 5,604,640;
- (48) U.S. Patent No. 5,613,001;
- (49) U.S. Patent No. 5,647,017;
- (50) U.S. Patent No. 5,657,389;
- (51) U.S. Patent No. 5,657,396;
- (52) U.S. Patent No. 5,673,333;

- (53) U.S. Patent No. 5,751,842;
- (54) U.S. Patent No. 5,754,673;
- (55) U.S. Patent No. 5,781,654;
- (56) U.S. Patent No. 5,784,503; and
- (57) U.S. Patent No. 5,787,403.

C. In addition to the documents cited in U.S. Patent No. 5,910,988, the following documents were cited in U.S. Patent No. 6,032,137:

- (58) U.S. Patent No. 4,858,121;
- (59) U.S. Patent No. 5,326,959; and
- (60) U.S. Patent No. 5,484,988.

D. U.S. Patent No. 6,032,137 and U.S. Patent No. 5,910,988 were involved in a number of court proceedings. Some of those court proceedings were disclosed in the IDS's previously filed in the instant application. A large number of documents were introduced by other parties during the court proceedings and the parties did not point out the relevance of many of those documents. In an abundance of caution, the Applicant is bringing to the attention of the Examiner at least those documents whose relevance was discussed by the other parties or the Patentee.

- (61) "Defendants' Final Invalidity Construction Pursuant to Fourth Amended

Docket Control Order and Patent Local Rules 3-3 and 3-6” in Civil Action No. 5:03-CV-039 (DF) was filed as part of litigation involving U.S. Patent No. 5,910,988 and U.S. Patent No. 6,032,137. The following documents were cited in this Court document:

- U.S. Patent No. 4,264,808 (already cited above in U.S. Patent No. 5,910,988);
- U.S. Patent No. 4,500,750 (already cited above in U.S. Patent No. 5,910,988);
- U.S. Patent No. 4,578,530 (already cited above in U.S. Patent No. 5,190,988);
- U.S. Patent No. 4,912,762 (already cited above in U.S. Patent No. 5,910,988);
- U.S. Patent No. 4,922,503 (already of record and cited in the IDS filed on January 16, 2004);

- U.S. Patent No. 5,220,501 (already cited above in U.S. Patent No. 5,910,988);
- U.S. Patent No. 5,373,778 (already of record and cited in the IDS filed on January 16, 2004);

- U.S. Patent No. 5,590,038 (already of record and cited in the IDS filed on January 16, 2004);

(62) U.S. Patent No. 5,682,549;

(63) U.S. Patent No. 5,668,897;

- U.S. Patent No. 5,930,778 (already of record and cited in the IDS filed on January 16, 2004);

(64) Electronic Imaging’88-Advanced Printing of Paper Summaries, Vol. 1, October 3-6, 1988, Boston, MA;



- IBM Systems Journal, Vol. 29, No. 3, 1990 (entire journal) (already of record and cited in the IDS filed on January 16, 2004);

- Dinan, Painter & Rodite, "ImagePlus High Performance Transaction System," IBM Systems Journal, Vol. 29, No. 3, 1990, pp. 421-434 (already of record and cited in the IDS filed on January 16, 2004);

- Plesums, C.A. and Bartels, R.W., Large Scale Image Systems: USAA Case Study, IBM Systems Journal, Vol.29, No. 3, 1990, pp. 343-355 (already of record and cited in the IDS filed on January 16, 2004);

(65) Morris, H.M. and Orth, R.H., Image system communications, IBM Systems Journal, Vol. 29, No. 3, 1990, pp. 371-383;

(66) ImagePlus brochure by IBM, 1991;

(67) "Imaging in Corporate Environments: Technology and Communication," Textbook by Daniel Minoli, McGraw-Hill, Inc., 1994;

(68) Federal Reserve Bank of Boston, "Request For Proposal For Check Image Processing And Archival And Retrieval Systems For The Federal Reserve," April 21, 1994, JPMC 152558-152803;

- ANSI/ABA X9.46-1995, Draft version 0.13, American National Standard For Financial Image Interchange: Architecture, Overview and System Design Specification, FDC1400142-FDC1400370 (already of record and cited in the IDS filed on March 31, 2004);

(69) "NSSDC's Mass Storage System Evolves," March 1995, found on the web at the URL: [http://nssdc.gsfc.nasa.gov/nssdc\\_news/march95/09\\_i\\_behnke\\_0395.html](http://nssdc.gsfc.nasa.gov/nssdc_news/march95/09_i_behnke_0395.html);

- "Press Release, Cisco Partners with AT&T on Network Switch Manufacturing," September 26, 1995, found on the web at:

<http://www.lucent.com/press/0995/950926.mma.html> (already of record and cited in the IDS filed on January 16, 2004);

- Description of the IBM "3174 Network Processor," October 7, 1992, found on the web at the URL: <http://ecc400.com/ibm/controllers/314prod.htm> and <http://www.commercecomputer.com/3174.html> (already of record and cited in the IDS filed on January 16, 2004);

(70) "Ibnamed, A Load Balancing Name Server Written in Perl," October 15, 2002, found on the web at the URL: [www.stanford.edu/~schemers/docs/Ibnamed/Ibnamed.html](http://www.stanford.edu/~schemers/docs/Ibnamed/Ibnamed.html);

- "Data Compression Over Frame Relay Implementation Agreement FRF.9," January 22, 1996, downloaded at: <http://www.frforum.com/5000/Approved/FRF.9/frf9.pdf> (already of record and cited in the IDS filed on January 16, 2004);

- "High Volume Data Capture Sans Paper" in Bank Systems Technology, May, 1996, p.35 (already of record and cited in the IDS filed on January 16, 2004);

(71) Document Image Report, IntraFed Touts Remote Services, Vol. 6, Issue 25,

11 December, 1996;

- ANSI/ABA X9.46-1997, Financial Services Technical Publication Developed by Credited Standards Committee X9-Financial Services: American National Standard for Financial Image Interchange: Architecture, Overview, and System Design Specification, FDC1400372-FDC1400616 (already of record and cited in the IDS filed on March 31, 2004);

- International Patent Publication WO 97/22060 (already of record and cited in the IDS filed on January 16, 2004);

- U.S. Patent Application No. 08/571,099 to Schtuzer et al., filed December 12, 1995, FDC1401773-1401829 (this application does not appear to be available to the public);

(72) FileNet Product Brochure, "Introducing the Age of Document-Image Processing," The PC Connection, and Wide-Area Image Communication and System Networking, 1998, 14 pages;

(73) Unisys, New York Clearing House, "A Proposal for an Image-Based Return Item Processing System," June 1991, Unisys Document No. PDC 1010-16, JPMC-NYCH018091-018216;

(74) IBM's Proposal to the Federal Reserve Bank of Boston, November 7, 1991, "IBM Proposal For FRB Phase Four: Image Archive System," JPMC 279955-280128, Yeskel Exhibit 1; and

(75) BancTec's Proposal to the Federal Reserve Bank of Boston:

(1) "Technical Volume: Check Image Processing Archive and Retrieval System," July 8, 1994, JPMC-BANCT 002960-003299; and

(2) "Technical Volume: Total Solution Overview," July 8, 1994, JPMC-BANCT 001017-001144.

E. Furthermore, the Applicant has received four DVD's with a total of over 16 gigabytes of information, from a third party involved in an earlier litigation of the above-mentioned patents that are undergoing Re-examination proceedings. One gigabyte corresponds to 1024 Megabytes. A floppy disk that can hold 1.44 megabytes is capable of storing approximately 300 pages of imaged documents. An 8.4 gigabyte hard drive can store about 8.4 billion characters and can hold close to 180,000 imaged pages of documents. (See the enclosed copy of a web page from aol.com concerning Drivespace FAQ.) A single sided standard DVD can hold approximately 4 gigabytes. It is estimated that the four DVD's can contain over 320,000 pages of imaged documents. While it is difficult to estimate the exact number of pages actually contained on the four DVD's without opening or printing those documents, the fact remains that the relevance of most of those documents was not provided by the third party. An IDS that includes a submission of copies of non-patent literature in the order of 5,000 pages, is less than 2%

of the pages that can be accommodated on the four DVD's received by the Applicant. Thus, it would be unrealistic to properly consider the information on the four DVD's within a reasonable time frame. Therefore, the Applicant has not reviewed those documents and does not know the relevance of those documents. In an abundance of caution, the Applicant is bringing this information to the attention of the Examiner. However, the Applicant believes, based on the third party's failure to discuss most of those documents, that the documents not specifically discussed are not relevant to the instant application. If the Examiner wishes to obtain a copy of the DVD's which contain the extremely large number of documents, then the Applicant will submit a copy of these four DVD's upon request by the Examiner.

F. Furthermore, on May 10, 2006, the Firm of the undersigned received an unsolicited e-mail titled "USPTO Reexam. C.N 90/007,829, Requested Date: Nov. 25, 2005" from "PT" <admin@patentrakker.com>. This e-mail was addressed to the Firm of the undersigned as well as the Third Party Requester (jkushan@sidley.com) in regards to the above-mentioned Re-examination proceedings and states: "We routinely monitor and perform prior art searches on issued and pending patents. These references were uncovered for your subject case. We invite your feedback. Many of these reports will be published on the internet in the coming weeks and are being provided to you to aid in your compliance with USPTO Rule 56." The e-mail does not indicate the relevance of

any of the documents listed, who “patentrakker” is, nor what this entity has to do with the above-mentioned Re-examination proceedings. It is believed that this e-mail may pertain to solicitation of work. Therefore, the Applicant has not reviewed these documents and does not know the relevance of the documents. Nevertheless, in an abundance of caution, the Applicant brings this information to the attention of the Examiner:

(76) E-mail of May 10, 2006 titled “USPTO Reexam. C.N 90/007,829, Requested Date: Nov. 25, 2005” from “PT” <admin@patentrakker.com>.

The following documents were cited in the e-mail of May 10, 2006:

- (77) U.S. Patent No. 4,771,460;
- (78) U.S. Patent No. 4,757,543;
- (79) U.S. Patent No. 5,539,825;
- (80) U.S. Patent No. 5,621,796;
- (81) U.S. Patent No. 5,633,930;
- (82) U.S. Patent No. 5,642,419;
- (83) U.S. Patent No. 5,396,558;
- (84) U.S. Patent No. 5,604,802;
- (85) U.S. Patent No. 4,748,557;
- (86) U.S. Patent No. 5,163,098;
- (87) U.S. Patent No. 5,621,797;
- (88) U.S. Patent No. 5,195,133;

- (89) U.S. Patent No. 5,625,694;
- (90) U.S. Patent No. 4,745,267;
- (91) U.S. Patent No. 5,502,765;
- (92) U.S. Patent No. 5,608,800;
- (93) U.S. Patent No. 5,185,798;
- (94) U.S. Patent No. 5,524,073;
- (95) U.S. Patent No. 4,755,940;
- (96) U.S. Patent No. 4,723,283;
- (97) U.S. Patent No. 5,343,529;
- (98) U.S. Patent No. 5,446,796;
- (99) U.S. Patent No. 5,214,697;
- (100) U.S. Patent No. 5,544,255;
- (101) U.S. Patent No. 4,882,779;
- (102) U.S. Patent No. 5,557,518;
- (103) U.S. Patent No. 5,623,547;
- (104) U.S. Patent No. 4,985,921;
- (105) U.S. Patent No. 5,337,358;
- (106) U.S. Patent No. 5,341,428;
- (107) U.S. Patent No. 5,123,047;
- (108) U.S. Patent No. 5,408,531;

- (109) U.S. Patent No. 5,259,025;
- (110) U.S. Patent No. 5,175,766;
- (111) U.S. Patent No. 5,440,634;
- (112) U.S. Patent No. 4,962,531;
- (113) U.S. Patent No. 5,081,680;
- (114) U.S. Patent No. 4,910,774;
- (115) U.S. Patent No. 5,629,981;
- (116) U.S. Patent No. 4,977,595;
- (117) U.S. Patent No. 5,241,600;
- (118) U.S. Patent No. 5,317,637;
- (119) U.S. Patent No. 5,615,269;
- (120) U.S. Patent No. 5,014,311;
- U.S. Patent No. 5,647,017 (already cited above in U.S. Patent No. 5,910,988);
- (121) U.S. Patent No. 4,652,990;
- (122) U.S. Patent No. 4,961,142;
- (123) U.S. Patent No. 5,539,822;
- (124) U.S. Patent No. 5,659,616;
- U.S. Patent No. 5,436,970 (already cited above in U.S. Patent No. 5,910,988);
- (125) U.S. Patent No. 5,256,863;
- U.S. Patent No. 5,479,510 (already cited above in U.S. Patent No. 5,910,988);



- (126) U.S. Patent No. 5,577,121;
- (127) U.S. Patent No. 5,016,277;
- U.S. Patent No. 5,321,751 (already cited above in U.S. Patent No. 5,910,988);
- (128) U.S. Patent No. 4,675,815;
- (129) U.S. Patent No. 5,003,594;
- (130) U.S. Patent No. 5,596,642;
- (131) U.S. Patent No. 4,268,715; and
- (132) U.S. Patent No. 5,233,656.

G. In addition to the cited documents in the IDS filed on January 16, 2004 in the present application, a number of documents were cited in “Defendants Ingenico S.A. and Ingenico, Inc.’s Preliminary Invalidity Contentions,” in *DataTreasury Corp. v. Ingenico S.A., et al.*, Cause No. 502CV095, In the United States District Court of Texas, Texarkana Division (which were cited in the IDS filed on January 16, 2004), most of which were made of record elsewhere in that IDS. The following documents, not made of record elsewhere in that IDS, were cited in this Court document:

- (133) U.S Patent No. 5,454,575;
- (134) U.S Patent No. 5,200,993;
- U.S Patent No. 5,159,548 (already cited above in U.S. Patent No. 5,190,988);
- U.S Patent No. 5,274,567 (already cited above in U.S. Patent No. 5,190,988);

- U.S Patent No. 5,506,691 (already cited above in U.S. Patent No. 5,190,988);
- U.S Patent No. 5,544,043 (already cited above in U.S. Patent No. 5,190,988);

and

(135) U.S Patent No. 5,754,673.

H. Finally, the following documents were brought to the attention of the Applicant during deposition proceedings with Bank of America, one of the litigant adverse parties as noted above with respect to the above-mentioned litigations, on or about November 29, 2006:

- U.S. Patent No. 5,195,133 (already cited above in the e-mail of May 10, 2006);

(136) U.S. Patent No. 5,053,607;

(137) Rivest, R.L., Shamir, A., Adleman, L., "A Method for Obtaining Digital Signatures and Public-Key Cryptosystems," date unknown;

(138) Moreau, Thierry, "Payment by Authenticated Facsimile Transmission, a Check Replacement Technology for Small and Medium Enterprises," November 25, 2006, found at: <http://connotech.com/PAYPROC.HTM>;

(139) "Entrust Encryption and Digital Signature Explained," date unknown;

(140) "Industry Security Leader Racal Supports Visa/Mastercard Proposal for Internet," PR Newswire, April 17, 1996; and

(141) “Microsoft Introduces SNA Server Version 3.0, Begins Beta Testing,” Microsoft Press Release, August 29, 2006, found at:  
<http://www.microsoft.com/presspass/press/1996/jun96/sna30pr.msp>.

I. Furthermore, the following documents were recently brought to the attention of the undersigned as having been cited in litigation concerning U.S. Patent Nos. 5,910,988 and 6,032,137, in *DataTreasury vs. First Data Corporation, et al.*, In the United States District Court, Eastern District of Texas, Texarkana Division, Civil Action No.: 5:03cv39 (Consolidated into *DataTreasury vs. Remitco/IPS*, Civil Action No.: 5:05cv173):

(142) “Interbank Check Imaging,” FSTC General Meeting, Orlando, FL, April 17th, 1997 (Exhibit 20);

(143) “PACES Paperless Automated Check Exchange & Settlement NEXT STEP,” presentation by John Fricke at New York, NY on August 12, 1997 (Exhibit 19);  
and

(144) “PACES Models – FSTC Project,” presentation by Mariano Roldan on July 17, 1997 (Exhibit 21).

J. Furthermore, the following documents were recently brought to the attention of the undersigned as having been cited in litigation concerning U.S. Patent Nos. 5,910,988

and 6,032,137, in *DataTreasury vs. Wells Fargo & Company, et al.*, In the United States District Court, Eastern District of Texas, Marshall Division, Civil Action No.: 2:06cv72:

(145) “The New Era of Check Scanning Technology,” 2005 (Exhibit MagTek D-6);

(146) “MAGTEK® Company Background & Product Guide,” date unknown (Exhibit MagTek D-7);

(147) “MagTek Unveils Excella, a Dual-side Scanner for Check 21 Applications,” May 10, 2004 (Exhibit MagTek D-8);

(148) Press Release “MagTek Upgrades Its Micrimage™ Check Reader/Scanner,” June 12, 2002 (Exhibit MagTek D-9);

(149) Press Release “MagTek’s MICRImage Transmits Check Images at Speed of Ethernet,” February 14, 2002 (Exhibit MagTek D-10);

(150) Press Release “MagTek Adds Enhanced Reading to Micrimage™,” January 9, 2003 (Exhibit MagTek D-11); and

(151) U.S. Patent No. 5,832,464 (Houvener *et al.*, November 3, 1998).

The Applicant has attempted to provide an orderly Information Disclosure Statement to the Examiner. Any documents that were already cited in prior IDS’s are not repeated in this Information Disclosure Statement, for the Examiner’s convenience and in order to reduce repetitions. In an abundance of caution, the Applicant has cited all

documents that are believed to be relevant to the present application. Since the number of documents is large, the Examiner is encouraged to check with the related Re-examination proceeding no. 90/007,829 (for U.S. Patent No. 5,910,988) and no. 90/007,830 (for U.S. Patent No. 6,032,137), as described above.

A duly completed Substitute Form PTO-1449 is enclosed herewith. Copies of the documents already of record and copies of the above-noted U.S. patents are not enclosed, since they are readily available to the Examiner, in accordance to M.P.E.P. Section 609. The Examiner is accordingly requested to consider all of documents cited in this Information Disclosure Statement and on the Substitute Form PTO-1449, and to make them of record in this proceeding by initialing in the appropriate spaces on the Substitute Form PTO-1449.

In accordance with 37 CFR 1.97(c)(2), this Information Disclosure Statement is filed before the mailing date of any of a final action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the fee set forth in §1.17(p).

However, should a fee not be attached, or if the attached fee is insufficient, please charge any fees and refund excess payments to Deposit Account No. 50-2929.

Should the Examiner have any questions or comments regarding this matter, the undersigned may be contacted at the below-listed telephone number.

Respectfully submitted,  
DataTreasury Corp.

A handwritten signature in black ink, appearing to read 'Abraham HersHKovitz', written over a horizontal line.

Abraham HersHKovitz  
Reg. No. 45,294  
Dinh X. Nguyen  
Reg. No. 54,923

February 5, 2007  
HERSHKOVITZ & ASSOCIATES  
2845 Duke Street  
Alexandria, VA 22314

TEL: (703) 370-4800  
FAX: (703) 370-4809  
E-MAIL: [patent@hershkovitz.net](mailto:patent@hershkovitz.net)



Substitute for form PTO-1449

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

**Complete if Known**

Application Number	<b>09/454,492</b>
Filing Date	<b>December 6, 1999</b>
First Named Inventor	<b>Claudio R. Ballard</b>
Art Unit	<b>3693</b>
Examiner Name	<b>Richard C. WEISBERGER</b>
Attorney Docket Number	<b>P43312</b>

Sheet **1** of **7**

## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear//No. on IDS List
		Number-Kind Code <sup>2</sup> (if known)			
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	AB	US-4,264,808	04/28/1981	Owens et al.	7
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Examiner Signature				Date Considered	

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	09/454,492
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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## Complete if Known

Application Number	09/454,492
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Art Unit	3693
Examiner Name	Richard C. WEISBERGER
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Examiner Signature				Date Considered	

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

## Complete if Known

Application Number	09/454,492
Filing Date	December 6, 1999
First Named Inventor	Claudio R. Ballard
Art Unit	3693
Examiner Name	Richard C. WEISBERGER
Attorney Docket Number	P43312

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## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear//No. on IDS List
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Examiner Signature				Date Considered	

Substitute for form PTO-1449				Complete if Known		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	09/454,492	
				Filing Date	December 6, 1999	
				First Named Inventor	Claudio R. Ballard	
				Art Unit	3693	
				Examiner Name	Richard C. WEISBERGER	
Sheet	5	of	7	Attorney Docket Number	P43312	
<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear//No. on IDS List	T <sup>6</sup>
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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T <sup>2</sup> //No. on IDS List
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	ET	"Defendants' Final Invalidity Construction Pursuant to Fourth Amended Docket Control Order and Patent Local Rules 3-3 and 3-6," pp. 1-21, Civil Action No. 5:03-CV-039 (DF), December 13, 2005				61
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	EV	Electronic Imaging'88-Advanced Printing of Paper Summaries, Vol. 1, October 3-6, 1988, Boston, MA				64
	EW	E-mail of May 10, 2006 titled "USPTO Reexam. C.N 90/007,829, Requested Date: Nov. 25, 2005" from "PT" <admin@patentrakker.com>				76
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Examiner Signature				Date Considered		

Substitute for form PTO-1449				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	<b>09/454,492</b>
				Filing Date	<b>December 6, 1999</b>
				First Named Inventor	<b>Claudio R. Ballard</b>
				Art Unit	<b>3693</b>
				Examiner Name	<b>Richard C. WEISBERGER</b>
Sheet	6	of	7	Attorney Docket Number	<b>P43312</b>
<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup> //No on IDS List
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	<b>FF</b>	<b>"Interbank Check Imaging," FSTC General Meeting, Orlando, FL, April 17th, 1997 (Exhibit 20)</b>			<b>142</b>
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Substitute for form PTO-1449  <h2 style="text-align: center; margin: 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center; margin: 5px 0;"><i>(Use as many sheets as necessary)</i></p>				Complete if Known	
				Application Number	09/454,492
				Filing Date	December 6, 1999
				First Named Inventor	Claudio R. Ballard
				Art Unit	3693
				Examiner Name	Richard C. WEISBERGER
Sheet	7	of	7	Attorney Docket Number	P43312

NON PATENT LITERATURE DOCUMENTS			
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	FM	"PACES Models – FSTC Project," presentation by Mariano Roldan on July 17, 1997 (Exhibit 21)	144
	FN	"PACES Paperless Automated Check Exchange & Settlement NEXT STEP," presentation by John Fricke at New York, NY on August 12, 1997 (Exhibit 19)	143
	FO	Press Release "MagTek Adds Enhanced Reading to MicrimageTM," January 9, 2003 (Exhibit MagTek D-11)	150
	FP	Press Release "MagTek Upgrades Its MicrimageTM Check Reader/Scanner," June 12, 2002 (Exhibit MagTek D-9)	148
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	FR	Rivest, R.L., Shamir, A., Adleman, L., "A Method for Obtaining Digital Signatures and Public-Key Cryptosystems," date unknown	137
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of

USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

